

# **EXHIBIT 8**

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

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ePLUS, INC.

vs.

LAWSON SOFTWARE, INC.  
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:  
: Civil Action No.  
: 3:09CV620  
:  
:  
: January 11, 2011  
:

COMPLETE TRANSCRIPT OF THE JURY TRIAL

BEFORE THE HONORABLE ROBERT E. PAYNE

UNITED STATES DISTRICT JUDGE, AND A JURY

APPEARANCES:

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1 that competition is occurring, right? It doesn't turn  
2 on whether you know or not know, right?

3 A No, it doesn't.

4 MR. ROBERTSON: Thank you. I have no further  
5 questions.

6

7 CROSS-EXAMINATION

8 BY MS. STOLL-DeBELL:

9 Q Good morning, Mr. Lohkamp.

10 A Good moaning.

11 Q Let's start off first by talking about these  
12 competition issues that you just talked about with  
13 Mr. Robertson.

14 Can you explain to me who ePlus was competing with  
15 for the Cleveland Clinic deal?

16 A My understanding is they were competing against  
17 Sciquest.

18 Q Why is it your understanding that they were  
19 competing against Sciquest?

20 A Because when I spoke with the solution consultant,  
21 Brett Weiss, he mentioned that Cleveland Clinic was  
22 trying to decide between two solutions for catalog and  
23 content, and they were trying to decide between  
24 Sciquest and ePlus. They were looking to use Lawson  
25 Software and Lawson procurement regardless to connect

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1 to whichever solution they were going to choose.

2 Q So Lawson, had they selected ePlus, Lawson would  
3 have been in a position that it was working with  
4 ePlus?

5 MR. ROBERTSON: Objection, leading.

6 THE COURT: Overruled.

7 A So if they had selected ePlus, we would have --  
8 Cleveland Clinic would have been using Lawson, and we  
9 would have been open to working with ePlus.

10 Q And that was to use Lawson's Punchout product to  
11 connect to some catalog product provided by ePlus?

12 A That's what I would have expected was using  
13 Punchouts to connect to ePlus.

14 Q The same is true for Sciquest? It would be  
15 Lawson's Punchout product to connect to some catalogs  
16 provided by Sciquest?

17 A Yes, Punchout is used to connect to Sciquest.

18 Q So the customer wasn't actually making a decision  
19 between whether to purchase something from Lawson  
20 versus ePlus?

21 A That's my understanding.

22 Q Is that the same situation for Novant as well?

23 A That would be my understanding.

24 Q And the Novant situation, did you learn about that  
25 as part of this lawsuit?